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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 5 December 2011 from the Permanent Mission of Croatia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the secretariat of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the report of the Republic of Croatia on the implementation of Security Council resolution 1874 (2009) concerning the Democratic People's Republic of Korea (see annex).

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Annex to the note verbale dated 5 December 2011 from the Permanent Mission of Croatia to the United Nations addressed to the Chair of the Committee

Report of the Republic of Croatia on the implementation of Security Council resolution 1874 (2009) concerning the Democratic People's Republic of Korea

The Republic of Croatia would at the outset like to bring to the attention of the Chair of the Committee that in February 2007, it addressed the Committee with its report on the implementation of Security Council resolution 1718 (2006) (S/AC.49/2007/17).

It is the firm position of the Republic of Croatia that the suppression of the proliferation of weapons of mass destruction and their delivery systems is a response to global security threats. Croatia considers that compliance with multilateral non-proliferation agreements, as well as participation in informal non-proliferation regimes, is of crucial importance for successful non-proliferation, which can be achieved through continuous improvement of the national systems and wide-ranging international cooperation.

The Republic of Croatia is a party to all relevant international treaties and conventions, such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Physical Protection of Nuclear Material, the Comprehensive Nuclear-Test-Ban Treaty, the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Convention on Certain Conventional Weapons, the Ottawa Convention and the Convention on Cluster Munitions. Croatia participates in all export control regimes (the Wassenaar Arrangement, the Nuclear Suppliers Group, the Australia Group and the Zangger Committee). It has applied for membership in the Missile Technology Control Regime. Croatia has adhered to the Hague Code of Conduct against Ballistic Missile Proliferation. It has joined international initiatives, such as the Proliferation Security Initiative. Regarding the prevention of nuclear terrorism, the Republic of Croatia participates in the Global Initiative to Combat Nuclear Terrorism. The Republic of Croatia is cooperating with other countries, exchanging relevant information and coordinating activities to enhance capacity to combat nuclear terrorism.

The Republic of Croatia has introduced and has been consistently implementing national legislation required for the suppression of the proliferation of the weapons of mass destruction and, in this context, the implementation of Security Council resolutions 1718 (2006) and 1874 (2009). The Law on Trade of the Republic of Croatia stipulates that import/export licensing for certain goods shall be applied for national security purposes; in the implementation of international treaties or conventions; for purposes of protecting the life and health of human beings, animals and plants, and the environment; in the protection of public morality; and for controlling the export of works of art and certain precious metals. The Croatian Government has adopted the Decree on Goods Subject to Import and Export Licensing. All State bodies participating in the process of issuing licences for the above-mentioned goods have been networked with the Ministry of the Economy, Labour and Entrepreneurship, which houses the main database. With the purpose of

improving the control of trade in arms and military equipment, in 2009 the Republic of Croatia introduced the Tracker programme.

In July 2004, the Law on Export of Dual-Use Items was adopted, and in July 2008, the Croatian Parliament adopted Amendments to the Law, which refer to the regulation of the transit of dual-use items, the provision of brokering services and technical assistance associated with dual-use items and prescription of penalties for offenders of the Law when national or foreign political interests of the Republic of Croatia are at risk. With these Amendments, the commitments related to the Security Council resolutions on the non-proliferation of weapons of mass destruction have been fulfilled. On 1 July 2011, the Croatian Parliament voted for the Act on the Trade Control of Dual-Use Items. This Act allows the implementation of Council Regulation (EC) No. 428/2009, setting up a European Union regime for the control of exports, transfer, brokering and transit of dual-use items. Implementation of the Regulation is binding and directly applicable to member States of the European Union. The Act will come into force upon Croatia's accession to the European Union.

According to article 2 of the Law on International Restrictive Measures, passed by the Croatian Parliament on 21 November 2008, the Republic of Croatia introduces, implements or abolishes international restrictive measures against States, international organizations, territorial entities, movements or physical and legal subjects (a) to ensure the implementation of internationally binding decisions of the Organization of the United Nations; (b) when aligning with restrictive measures of other international organizations, particularly the European Union; and (c) in other cases, in accordance with international law.

For the purpose of implementing the Law, the Government of Croatia has established a task force composed of members from the following ministries: the Ministry of Foreign Affairs and European Integration, the Ministry of the Interior, the Ministry of Defence, the Ministry of Economy, Labour and Entrepreneurship, the Ministry of Finance, the Ministry of the Sea, Tourism, Transport and Development and the Ministry of Justice, with the Ministry of Foreign Affairs and European Integration presiding over its work. On the basis of the proposal of the Task Force, the Croatian Government, in 2011, adopted two important documents which further improve the implementation of the international restrictive measures, i.e., the decree on the implementation of the assets freeze and the decree on the database regarding the application of restrictive measures against concrete physical or legal persons.

With the aim of further improving the control of the proliferation of weapons of mass destruction, Croatia has decided to start a project for the preparation of the national strategy against proliferation of weapons of mass destruction. At the Government session in June 2009, the decision on the establishment of the Inter-Ministerial Working Group for the preparation of the national strategy and the action plan for the implementation of this strategy was adopted. The Inter-Ministerial Working Group includes representatives from the Office of the President, the Government, the Ministry of Foreign Affairs and European Integration, the Ministry of Defence, the Croation Navy, the Ministry of the Interior, the Ministry of the Sea, Transport and Infrastructure, the Ministry of Justice, the Ministry of Finance, the Customs Administration, the Ministry of Economy, Labour and Entrepreneurship, the Ministry of Agriculture, Fisheries and Rural

Development, the Ministry of Health and Social Welfare, the State Office for Nuclear Security, the Croatian Institute for Protection against Radiation, the National Protection and Rescue Directorate, the State Attorney's Office, the Military Intelligence Agency and the Security Intelligence Agency. The ultimate goal is to prepare and adopt the Croatian national strategy against proliferation of weapons of mass destruction by the end of 2011 and to make this strategy a model according to which other countries in similar geopolitical environments might prepare their own national strategies.

In 2010 and 2011, two national exercises aimed at evaluating the draft text of the national strategy were held. Also, in April 2011, the Ministry of Foreign Affairs and European Integration, in cooperation with the Organization for the Prohibition of Chemical Weapons, organized a workshop on the Chemical Weapons Convention, protection against chemical weapons and the prevention of terrorist use of materials related to weapons of mass destruction. Regarding effective implementation of the national strategy, Croatia will take steps to better coordinate activities between bodies involved in combating the spread of weapons of mass destruction. To that effect, Croatia is planning to establish until the end of 2011 an appropriate coordination mechanism.

It can be concluded that the Republic of Croatia has established a complete legislative and institutional framework for the prevention of the proliferation of weapons of mass destruction, dual-use goods and systems for their delivery, whose implementation is strictly observed by the relevant State bodies. Croatian legislation contains provisions that criminalize support, active or passive, to entities or persons involved in the supply of weapons, including nuclear weapons, as referred to in the above-mentioned resolutions. Main provisions are contained in the Criminal Code, the Trade Act, the Decree on Goods Subject to Import and Export Licensing and the Law on the Production, Overhaul and Trade of Weapons and Military Equipment. The Croatian national legislation enables Croatia to fully comply with the requirements of Security Council resolution 1874 (2009).

In the preparation of the present report, official reports and data have been collected from all the relevant ministries and other State bodies. The Republic of Croatia would like to reiterate that the full attention of all relevant State bodies has been devoted to the implementation of paragraph 8 of resolution 1718 (2006), as extended by the Security Council in paragraph 9 of resolution 1874 (2009). As the official reports of the relevant State bodies indicate, no cases of violations of the regime introduced by the mentioned resolutions have been recorded since their adoption. In the same manner, no violations of paragraph 10 of resolution 1874 (2009) have been recorded. No inspections in accordance with paragraphs 11 and 12 of resolution 1874 (2009) by the State bodies of the Republic of Croatia have taken place because there have been no reasonable grounds for them. No financial transactions in accordance with paragraphs 18 to 20 of resolution 1874 (2009) have been noticed by the relevant State bodies.

To conclude, Croatian authorities have to date identified no groups or individuals that would have attempted to supply, sell or transfer weapons or military equipment or to provide technical training, advice, services or assistance violating the relevant provisions of resolutions 1718 (2006) and 1874 (2009). No financial assets or economic resources of the individuals, groups, undertakings and entities referred to in resolutions 1718 (2006) and 1874 (2009) have been found in Croatia,

and no banned financial transactions have been recorded. However, if any relevant information as indicated in the above-mentioned resolutions is obtained, it shall be promptly referred to the Committee.